

## R E M A R K S

Careful review and examination of the subject application are noted and appreciated.

### OBJECTION TO THE DRAWINGS

While Applicant's representative does not necessarily agree with the requirement to label FIGS. 1-2, in order to further prosecution, FIGS. 1-2 have been labeled "conventional". Reference 15 has been added to FIG. 1. FIGS. 1-2 are submitted herewith with red markings. As such, the objection to the drawings should be withdrawn.

### OBJECTION TO THE SPECIFICATION

The objection to the specification has been obviated by appropriate amendment and should be withdrawn.

### CLAIM REJECTIONS UNDER 35 U.S.C. §102

The rejection of claims 1-15 and 17-25 under 35 U.S.C. §102 as being anticipated by Guerra '348 has been obviated by appropriate amendment and should be withdrawn.

Guerra discloses information storage systems utilizing media with optically-differentiated data sites (Title).

In contrast, claim 1 of the present invention provides an optical data storage medium comprising a storage layer and a micro-lens array. The micro-lens array may be positioned proximate to

the one or more data storage tracks. The micro-lens array has a periodic structure defining at least first and second repeating periods. The periodic structure induces a virtual track pitch having a pitch which is different than said data track pitch. The first repeating period is twice the width of the second repeating period. Guerra is silent, and does not disclose or suggest, such a virtual track and/or a first repeating period twice the width of said second repeating period.

In particular, Guerra does not appear to discuss virtual tracks and/or a first and second repeating period. Applicant's representative has performed a word search on the Guerra patent. No instances of the word "virtual" are present. In fact, no instances of the word "period" are present. FIG. 20 of Guerra (a figure heavily relied on in the Office Action), discusses "the size and range of these spheres relative to the illumination" (see col. 10, lines 17-18). However, despite the contention in the Office Action, FIG. 20 of Guerra is silent regarding the claimed first and second repeating periods. As such, claim 1 is fully patentable over the cited references and the rejection should be withdrawn.

Furthermore, claim 15 of the present invention provides an optical storage medium having a storage layer and a storage layer for storing optical artifacts on said storage layer. The track portions define a radial track pitch of  $N/2$  microns. The optical artifacts are readable by an optical drive configured for tracking an  $N$  micron track pitch. Guerra is silent, and does not disclose or suggest, reading optical artifacts having a radial

track pitch of  $N/2$  microns with an optical drive configured for tracking an  $N$  micron track pitch.

In particular, Guerra does not go into details on about track pitches. Applicant's representative has performed a word search on the Guerra patent. Only two instances of the phrase "track pitch" are present (see col. 1, line 30-40 and col. 2, lines 54-65). Neither of the two instances are used in connection with reading optical artifacts a radial track pitch of  $N/2$  microns with an optical drive configured for tracking an  $N$  micron track pitch. Furthermore, FIG. 20 of Guerra (a figure heavily relied on in the Office Action), discusses "the size and range of these spheres relative to the illumination" (see col. 10, lines 17-18). However, despite the contention in the Office Action, FIG. 20 of Guerra is silent regarding reading optical artifacts having a radial track pitch of  $N/2$  microns with an optical drive configured for tracking an  $N$  micron track pitch. As such, claim 15 is fully patentable over the cited references and the rejection should be withdrawn.

Furthermore, claim 21 provides an average track pitch of  $N/2$  microns between said first and second tracks. As discussed in connection with claim 15, only two instances of the phrase "track pitch" are present in Guerra. Neither of the two instances are used in connection with an average track pitch of  $N/2$  microns, as presently claimed. Guerra does not even contain the word "average" let alone an average track pitch of  $N/2$  microns, as presently claimed. As such, claim 21 is fully patentable over the cited references and the rejection should be withdrawn.

Newly presented claim 27 is believed to be independently patentable over the cited references.

CLAIM REJECTIONS UNDER 35 U.S.C. §103

The rejection of claim 16 under 35 U.S.C. §103 as being unpatentable over Guerra '348 in view of Guerra '940 has been obviated by appropriate amendment and should be withdrawn. Claim 9 depends, indirectly, from claim 1, which is now believed to be allowable. As such, the presently claimed invention is fully patentable over the cited references and the rejection should be allowable.

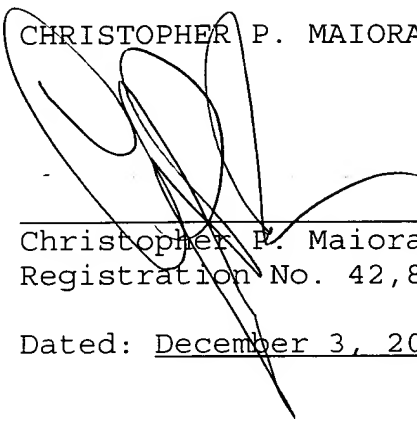
Accordingly, the present application is in condition for allowance. Early and favorable action by the Examiner is respectfully solicited.

The Examiner is respectfully invited to call the Applicants' representative at 586-498-0670 should it be deemed beneficial to further advance prosecution of the application.

If any additional fees are due, please charge Deposit  
Account No. 12-2252.

Respectfully submitted,

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